(b) Social security for the workers in the organised sector is provided through the implementation of various Acts such as the Employees' State Insurance Act, 1948, the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (Separate provident fund legislations exist for workers employed in Coal mines and tea plantations in the state of Assam and for seamen), the Workmen's Compensation Act, 1923, the Maternity Benefit Act, 1961, the Payment of Gratuity Act, 1972. For the unorganised sector workers, the Government has set up five welfare funds to provide social security to the specified unorganised workers such as beedi workers, cine workers and certain non-coal mine workers to provide health care, housing, educational assistance for children, drinking water etc. These schemes are in addition to the poverty alleviation schemes/employment generation programmes being implemented by the Government. The Janshree Bima Yojana provide life insurance protection to the rural and urban poor persons including unorganised workers who are below and marginally above proverty line. Government has launched Universal Health Insurance Scheme, which will amongst others cover the unorganized workers also. Further, social protection to the unorganized workers is also available under the National Social Assistance Programme (NSAP).

(c) and (d) In the Mid Term Appraisal of Tenth Five Year Plan (2002-07) Document, it is suggested that State Government should enact legislation for the welfare of unorganised workers, which should clearly identify the resources to be raised, benefits to be given as well as the institutional mechanism. The Government should provide welfare services to the unorganised workers such as compensation for accident at work, death, and old age pension in the 'risk cover mode' as distinct from the 'direct ex-gratia payments'.

Application of Labour Laws in IT Sector

205. SHRI K. CHANDRAN PILLAI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is fact that the existing labour laws are not being applied in the IT (private) sector in the country;

(b) if so, whether this situation deprive the workers in this sector of the labour rights workers enjoy in other areas;

(c) if so, the steps considered by Government in this regard; and

(d) the details thereof?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI K. CHANDRA SEKHAR RAO): (a) to (d) Information Technology and information technology enabled services are covered under existing labour laws.

The State Governments are the "appropriate Government" under the various labour laws and legally vested with the powers to deal with the violation of the labour laws in information technology (private) sector.

Working Hours for women Employees

206. SHRI JANARDHANA POOJARY: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) the prescribed working hours for industrial and other workers;

(b) whether it is a fact that this norm is not strictly followed in various organizations, particularly in private sector financial institutions, resulting in exploitation of the workforce and leading to complications relating to mental and physical stress, particularly, among female employees;

(c) if so, the details thereof;

(d) whether Government would consider issuing directions to all organizations to strictly adhere to the working-hours, particularly in respect of women employees; and

(e) if so, by when and if not, the reasons therefor?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI K. CHANDRA SEKHAR RAO): (a) to (e) As per Section 51 of Factories act, 1948, no adult workers shall be required or allowed to work in a factory for more than 48 hours in any week and Section 54 provide that no adult worker shall be required or allowed to work in a factory for more than 9 hours in any day. The State Government has the powers to relax or exempt the working hours to the reasonable extent.

Further, as per Section 66 of the Factories act, 1948 no women shall be required or allowed to work in any factory except between the hours of 6.00 AM and 7.00 PM. The State Government may vary the limits laid